

**MARCH 9, 2005**

**SCHAKOWSKY ANNOUNCES PASSAGE  
OF MAJOR ONLINE CONSUMER  
PRIVACY PROTECTION LEGISLATION  
BY KEY HOUSE COMMITTEE**

**WASHINGTON, D.C. - U.S. Representative Jan Schakowsky (D-IL) said that online consumers are a step closer to getting the privacy protections they deserve. Schakowsky applauded the passage of the H.R. 29, the Securely Protecting Yourself Against Cyber Trespass, or the Spy Act, by the House Energy and Commerce Committee.**

**The Spy Act protects consumers from the growing menace of spyware, software that tracks or monitors a person's web usage and collects personal information from one's computer without their knowledge or consent. Below is Schakowsky's opening statement before the Energy and Commerce Committee prior to the passage of the legislation:**

**Thank you, Chairman Barton, Ranking Member Dingell. I am glad to be here today to help usher H.R. 29, the Securely Protecting Yourself Against Cyber Trespass, or the Spy Act, out of our committee and onto the floor of the House. Once again, I would like to thank my colleagues, Chairman Barton, Ranking Member Dingell, Chairman Stearns, and Representative Towns and Bono, for their efforts on the Spy Act. The goal of creating a strong and effective consumer protection bill united us in this effort and I appreciate the hard work and courtesy shown at the drafting table.**

**Even so, I have to say that I look forward to the day that I do not have to give another spyware statement. I look forward to the day when spyware is not the threat that it currently is. And, I look forward to consumers, their personal information, and their computers being protected from uninvited monitors and information collection programs. I believe that the passage of the Spy Act out of our committee will bring us closer to the day when the consumers' online privacy is safeguarded and the control of their computers returned to the rightful owners.**

**I think we were so successful at working on the Spy Act because spyware is a non-partisan problem. As we learned last year, while not yet a household word, spyware**

is a household phenomenon. America Online recently released a study which found that 80 percent of families with broadband access had spyware on their computers. Earthlink, along with Webroot, found that in 3 million scans of computers, there was an average of 26 instances of spyware on each and every computer. With those kinds of numbers, spyware will soon be a part of everyone's vocabulary.

Nonetheless, because spyware essentially snuck in through the back door of consumers' computers, people are still surprised to hear about it. They experience the noticeable effects of the software - impossibly slow computers, hijacked homepages, unstoppable pop-ups - but they do not know where their problems are coming from or what is going on "behind the scenes." For instance, someone's computer may be sluggish because she may have unwittingly downloaded a program that records every keystroke entered and passes it on to a third-party who wants to steal bank account numbers and passwords. The explosion of pop-up ads may be because a program has been tracking a consumers every move on the web. Serious privacy and security issues are at stake here. Spyware could be a major contributor to the fact that identity theft is the fastest growing financial crime today.

The Spy Act ensures that consumers are protected from the truly bad acts and actors while also protecting pro-consumer functions of the software. It prohibits indefensible uses of the software - like keystroke logging - and gives the consumer the choice to opt-in to the installation or activation of information collection programs on their computer, but only when they know exactly what information will be collected and what will be done with it. The Spy Act puts the control of computers and privacy back in consumers' hands. Again, I appreciate my colleagues' efforts, and I look forward to working out the final details as we move this bill to the floor. Thank you.